UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/086,746
Filing Date: February 28, 2002
Appellant(s): PARRY, TRAVIS J.

_____

Scott A. Lund
Reg. No. 41,166
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 06/09/2008 appealing from the Office action mailed

01/08/2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5077795	ROURKE et al.	12-1991
6330610	DOCTER et al.	12-2001
5731882	KAWAMURA	03-1998

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

Claims 1, 5, 8 – 12, 15 – 17, 20 – 21, 26 – 28 and 30-34 are rejected under 35

U.S.C. 103(a) as being unpatentable over Rourke et al. in US Patent No. 5077795 (hereinafter

US '795) further in view of Docter et al. in US Patent No. 6330610 (hereinafter US '610).

As it relates to claim 1, and similar claims 11 and 20, US '795 teaches:

A printer, comprising: (see Figure 1)

a processor; and a printing component in communication with said processor (see

column 3, lines 33 - 38);

but does not expressly disclose:

a filtering program stored in a memory device or firmware of said printer and associated

with said processor so as to evaluate a file received at said printer and control printing of said

file by said printing component based on at least one prespecified characteristic from a packet

including said file,

wherein if said at least one prespecified characteristics is an undesirable characteristic

processing of said file by said printer is terminated and printing of said file by said printer is

prevented, and

wherein if said at a least one prespecified characteristic is a desirable characteristic

processing of said file by said printer proceeds and printing of said file by said printer is

conducted.

Docter et al. however in US '610 does disclose a filtering program stored in a memory

device or firmware of said printer and associated with said processor (see Figure 10 and

column 9, lines 51 – 65) so as to evaluate a file received at said printer and control printing of

said file by said printing component based on at least one prespecified characteristic from a

packet including said file, (see Figure 11; column 1, line 66: a system for filtering data; column

10, line 10 – column 11, lines 1 – 7)

wherein if said at least one prespecified characteristics is an undesirable characteristic

processing of said file by said printer is terminated and printing of said file by said printer is

prevented, (see column 2, line 2: first filter criteria; column 10, lines 32 – 33: where filtering is

based on data received; and column 2, lines 14 – 15: where the profile data set contains

elements associated with particular class of recipients) and

wherein if said at a least one prespecified characteristic is a desirable characteristic

processing of said file by said printer proceeds and printing of said file by said printer is

conducted. (see column 2, line 5: second filter criteria; see column 10, line 62: where filter

data processing code determines the destination of packet)

At the time of the invention, it would have obvious to one of ordinary skill in the art to

modify the printing system of Rourke et al. such that it would incorporated a filtering program as

in Docter et al. The motivation for doing so would have been to provide security to printing

devices.

For claim 5, and similar claims 12 and 26, US '795 teaches the printer of claim 1 (see

also column 9, lines 56-60) *but does not expressly disclose*, wherein said at least one

prespecified characteristic comprises at least one of a file type, a source computer identifier, a

user identifier, a file size, a password, time of transmission, cumulative number of files sent by a

user, cumulative number of files sent by a user over a given time, file string, and time-

consuming print commands.

Docter et al. however in US '610 does disclose wherein said at least one prespecified

characteristic comprises at least one of a file type, a source computer identifier, a user identifier,

a file size, a password, time of transmission, cumulative number of files sent by a user,

cumulative number of files sent by a user over a given time, file string, and time-consuming print

commands. (see column 3, lines 30 – 40: any number of filtering parameters or attributes may

be used to filter data).

At the time of the invention, it would have obvious to one of ordinary skill in the art to

modify the printing system of Rourke et al. such that it would incorporated a filtering program

with filtering guidelines as in Docter et al. The motivation for doing so would have been to

provide security to printing devices by identifying characteristics that are undesirable for printing.

For claim 8, and similar claims 15 and 28, US '795 teaches the printer of claim 1, *but*

does not expressly disclose wherein said filtering program instructs said processor to cause

said printing component to print said file only if said packet lacks said undesirable characteristic

and has said desirable characteristic.

Docter however does disclose wherein said filtering program instructs said processor to

cause said printing component to print said file only if said packet lacks said undesirable

characteristic and has said desirable characteristic (column 3, line 17: where unwanted data is

eliminated).

At the time of the invention, it would have obvious to one of ordinary skill in the art to

modify the printing system of Rourke et al. such that it would incorporated a filtering program

with filtering guidelines as in Docter et al. The motivation for doing so would have been to

provide security to printing devices by identifying characteristics that are undesirable for printing.

For claim 9, and similar claim 16, US '795 teaches the printer of claim 1, *but does not*

expressly disclose wherein said undesirable characteristic comprises one of a file type, a file

string, a source computer identifier, a user identifier, a file size, and at least one prespecified

command.

Docter however does disclose wherein said undesirable characteristic comprises one of a file type, a file string, a source computer identifier, a user identifier, a file size, and at least one prespecified command (column 2, line 2; and column 3, lines 34 – 40: criteria designated within specified criteria).

At the time of the invention, it would have obvious to one of ordinary skill in the art to modify the printing system of Rourke et al. such that it would incorporated a filtering program with filtering guidelines as in Docter et al. The motivation for doing so would have been to provide security to printing devices by identifying characteristics that are undesirable for printing.

For claim 10, and similar claim 17, US '795 teaches the printer of claim 1, *but does not expressly disclose* wherein said desirable characteristic comprises one of a source computer identifier, a user identifier, a file type, and a password.

Docter however does disclose wherein said desirable characteristic comprises one of a source computer identifier, a user identifier, a file type, and a password (column 2, line 5; and column 3, lines 34 – 40).

At the time of the invention, it would have obvious to one of ordinary skill in the art to modify the printing system of Rourke et al. such that it would incorporated a filtering program with filtering guidelines as in Docter et al. The motivation for doing so would have been to provide security to printing devices by identifying characteristics that are suitable for printing.

For claim 21, US '795 teaches the system of claim 20, and a memory device and firmware (see Figure 1) *but does not expressly disclose* wherein said filtering program is stored by at least one of a memory device and firmware.

Docter however does disclose wherein said filtering program is stored by at least one of a memory device and firmware (see column 3, lines 20 – 22).

At the time of the invention, it would have obvious to one of ordinary skill in the art to modify the printing system of Rourke et al. such that it would incorporated a filtering program with filtering guidelines as in Docter et al. The motivation for doing so would have been to provide security to printing devices.

For claim 27, US '795 discloses the system of claim 20, includes instructions for said printer, the instructions comprising information about a source of media onto which printing of said at least one file is to be effected, information about orientation in which said at least one file is to be printed on a media, information about whether printing is to be effected on one or two sides of a media, information about a number of copies to be printed, or information about whether multiple copies should be collated (see Figure 1 and associated text: where these instructions are inherent features of a printing system).

For claims 30 – 34, US '795 discloses the printer of claim 1 but does not expressly disclose wherein said undesirable characteristic comprises: a file having a certain extension; file including a particular file string; file size exceeding a maximum threshold; one of an identifier for a prespecified source computer and an identifier for a prespecified user; a time-consuming print command. (see column3, lines 30-40: any number of filtering parameters or attributes may be used to filter data)

Claims 24 – 25 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rourke et al. in US Patent No. 5077795 (hereinafter US '795) and Docter et al. in US Patent No. 6330610 (hereinafter US '610) further in view of Kawamura in US Patent No. 5731882 (hereinafter US '882).

For claim 24 and similar claims 25 and 29, US '795 teaches the printing system of claim 1, *but does not expressly disclose* wherein a message is generated if said at least one

prespecified characteristic is said undesirable characteristic and processing of said file is

terminated.

Kawamura however in US '882 does disclose wherein a message is generated if

processing of said file is terminated. (see column 9, lines 45 – 58: message "printer error"…) *but*

does not expressly disclose at least one prespecified characteristic is said undesirable

characteristic.

Docter however in US '610 does disclose at least one prespecified characteristic is said

undesirable characteristic ((see column 2, line 2: first filter criteria; see column 10, lines 32 – 33:

where filtering is based on data received; and column 2, lines 14 – 15: where the profile data set

contains elements associated with particular class of recipients).

At the time of the invention, it would have been obvious to one of ordinary skill in the art

to modify the printing system of Rourke et al. such that it would incorporate a filtering program

with specified parameters and characteristics of files to be printed as in Docter et al. such that if

printing of a file was prevented, a message would be generated to inform the user as in

Kawamura. The motivation for doing so would have been to alert the user of a printing error.

(10) Response to Argument

Applicant's arguments filed 06/06/2008 have been fully considered but they are not

persuasive. It is Applicant's assertion that Rourke, Docter, and Kawamura patents, individually

or in combination, do not disclose a printer as claimed in independent claim 1, do not disclose a

method as claimed in independent claim 11, and do not disclose a system as claimed in

independent claim 20. Specifically, Applicant asserts that Docter does not disclose evaluating a

file at a printer and controlling printing of the file by the printer based on a prespecified

characteristic from a packet including the file, wherein processing of the file by the printer is

terminated and/or printing of the file by the printer is prevented if the prespecified characteristic

is an undesirable characteristic, and wherein processing of the file by the printer proceeds and/or printing of the file by the printer is conducted if the prespecified characteristic is a desirable characteristic, as claimed in independent claim 1, 11 and 20.

The Examiner respectfully disagrees. The combined disclosure of Rourke and Docter meets Applicant's claim limitations. Rourke teaches a printing system (see Figure 1) which has been modified to include the filtering system of Docter (see Figure: 1: filtering system). Docter's filtering system, by virtue of a filtering system's functionality evaluates/analyzes files or documents based on specified characteristics, parameters, or criteria to determine (see column 3, lines 34-36), in view of Rourke, which files or documents are to actually be printed. It is obvious to one of ordinary skill in the art that a filtering system either enables or disables functionality from occurring. In this instance, the enabled or prohibited functionality is to process or terminate printing.

Furthermore, Rourke discloses password protection for files which are processed or transmitted as indicated by the password mechanism (see column 9, lines 56-60). This password mechanism of Rourke is equivalent to the at least one prespecified characteristic which includes a password recited in Applicant's claim limitations. The combined teaching of the password mechanism of Rourke and the filtering criteria of Docter further meets Applicant's disclosure since the password would facilitate filtering of files allowed (desirable characteristic) or prevented (undesirable characteristic) from being processed, i.e. printed.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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Examiner, Art Unit 2132
22 July 2008

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